



#### PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q78174

Satoshi BANNO

Appln. No.: 10/700,636

Group Art Unit: 2681

Confirmation No.: 4859

Examiner: Charles Terrell Shedrick

Filed: November 5, 2003

For:

PORTABLE TELEPHONE, POSITIONING SELECTING METHOD THEREFOR AND

PROGRAM THEREOF

## <u>INFORMATION DISCLOSURE STATEMENT</u> <u>UNDER 37 C.F.R. §§ 1.97 and 1.98</u>

#### MAIL STOP AMENDMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

Japanese Patent Application Publication No. 2003-319444, published November 7,
 2003 (which corresponds to Japanese Patent Application No. 2002-124931).

One copy of each of the listed documents is submitted herewith.

The present Information Disclosure Statement is being filed after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, Notice of Allowance, or an action that otherwise closes

INFORMATION DISCLOSURE STATEMENT

U.S. Appln. No.: 10/700,636

Attorney Docket: Q78174

prosecution in the application (whichever is earlier), and therefore Applicant is filing

concurrently herewith a Statement Under 37 C.F.R. § 1.97(e). No fee under 37 C.F.R. § 1.17(p)

is required.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for

foreign language documents, Applicant encloses here with a copy of a corresponding Japanese

Office Action dated March 7, 2006, and an English translation of the pertinent portions thereof

which cites such documents and indicates the degree of relevance found by the foreign office.

The submission of the listed documents is not intended as an admission that any such

document constitutes prior art against the claims of the present application. Applicant does not

waive any right to take any action that would be appropriate to antedate or otherwise remove any

listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue

Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any

overpayments to said Deposit Account.

Respectfully submitted,

SUGHRUE MION, PLLC

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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: May 30, 2006

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# STATEMENT UNDER 37 C.F.R. § 1.97(e)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed concurrently herewith was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of said Information Disclosure Statement.

Respectfully submitted,

Registration No. 25,665

SUGHRUE MION, PLLC

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Date: May 30, 2006

PTO/SB/08a (07-05) Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Complete if Known Substitute for form 1449A/PTO Application Number 10/700,636 INFORMATION DISCLOSURE Filing Date 11-05-03 STATEMENT BY APPLICANT **First Named Inventor** Satoshi BANNO MAY 3 0 7006 Art Unit (Use as many sheets as necessary) **Examiner Name** Attorney Docket Number Q78174 1 Sheet of

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U.S. PATENT DOCUMENTS										
Examiner initial *	Cite No. 1	Document Number				Pages, columns, Lines,				
		Number	Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YY	Name of Patentee or Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear				
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FOREIGN PATENT DOCUMENTS											
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not Considered, Include of this form with next communication to applicant.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering. preparing, and submitting the completed application form the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office,

Date

Considered

Examiner

Signature

<sup>1.</sup> Applicant's unique citation designation number (optional) 2. See Kinds codes of USPTO patent Docuwww.uspto.gcor MPEP 901.04. 3. Enter Office that isssued the document, by the two-letter code (WIPO Standard ST.3.) 4. For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST, 16 if possible, 6. Applicant is to place a check mark here if English language Translation is attached.